

# COMMITTEE REPORT

## MADAM PRESIDENT:

**The Senate Committee on Commerce, Public Policy and Interstate Cooperation, to which was referred House Bill No. 1347, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:**

- 1 Delete everything after the enacting clause and insert the following:
- 2 SECTION 1. IC 7.1-3-26-15, AS ADDED BY P.L.165-2006,
- 3 SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 4 JULY 1, 2007]: Sec. 15. (a) Except as provided in subsections (b) and
- 5 (c), a seller who violates this chapter commits a Class A infraction.
- 6 (b) Except as provided in subsection (d), a seller who:
- 7 (1) knowingly or intentionally violates this chapter; and
- 8 (2) has one (1) prior unrelated conviction or judgment for an
- 9 infraction under this section for an act or omission that occurred
- 10 not more than ten (10) years before the act or omission that is the
- 11 basis for the most recent conviction or judgment for an infraction;
- 12 commits a Class A misdemeanor.
- 13 (c) Except as provided in subsection (d), a seller who:
- 14 (1) knowingly or intentionally violates this chapter; and
- 15 (2) has at least two (2) prior unrelated convictions or judgments
- 16 for infractions under this section for acts or omissions that
- 17 occurred not more than ten (10) years before the act or omission
- 18 that is the basis for the most recent conviction or judgment for an
- 19 infraction;
- 20 commits a Class D felony.

1 (d) A person who violates section 6(5) of this chapter commits a  
 2 Class A infraction. The commission may consider an infraction  
 3 committed under this subsection in its determination of whether to  
 4 renew a seller's permit. **However, a person may not be held in**  
 5 **violation of section 6(5) of this chapter for a direct sale and**  
 6 **shipment to a person that occurred before January 15, 2007.**

7 SECTION 2. [EFFECTIVE JULY 1, 2007] (a) **As used in this**  
 8 **SECTION, "committee" refers to the interim study committee on**  
 9 **alcoholic beverage permittee liability insurance established by this**  
 10 **SECTION.**

11 (b) **There is established the interim study committee on**  
 12 **alcoholic beverage permittee liability insurance. The committee**  
 13 **shall study issues that relate to liability insurance for damages that**  
 14 **arise out of the person's sale of alcoholic beverages.**

15 (c) **The committee shall operate under the policies governing**  
 16 **study committees adopted by the legislative council.**

17 (d) **The affirmative votes of a majority of the voting members**  
 18 **appointed to the committee are required for the committee to take**  
 19 **action on any measure, including final reports.**

20 (e) **This SECTION expires November 1, 2007.**

21 (Reference is to HB 1347 as printed February 20, 2007.)

**and when so amended that said bill do pass.**

Committee Vote: Yeas 9, Nays 1.

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**Becker**

**Chairperson**